

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

OLIVIA Y., by and through her next friend, James D. Johnson; JAMISON J., by and through his next friend, Clara Lewis; DESIREE, RENEE, TYSON, and MONIQUE P., by and through their next friend, Sylvia Forster; JOHN A., by and through his next friend, James D. Johnson; CODY B., by and through his next friend, Sharon Scott; MARY, TOM, MATTHEW, and DANA W., by and through their next friend, Zelatra W.; AND SAM H., by and through his next friend, Yvette Bullock; on their own behalf and behalf of all others similarly situated,

v.

Plaintiffs,

CIVIL ACTION NO.
3:04-CV-251-TSL-FKB

PHIL BRYANT, as Governor of the State of Mississippi; DONALD TAYLOR, as Executive Director of the Department of Human Services; AND BILLY MANGOLD, as Director of the Division of Family and Children's Services,

Defendants.

**PLAINTIFFS' MOTION TO EXCEED PAGE LIMITATION FOR MEMORANDA IN
SUPPORT OF THEIR RENEWED MOTION FOR CONTEMPT, FOR AN
EVIDENTIARY HEARING AND FOR THE APPOINTMENT OF A RECEIVER**

Plaintiffs respectfully request the Court to allow Plaintiffs' original and rebuttal memoranda in support of their Renewed Motion for Contempt, For an Evidentiary Hearing and for the Appointment of A Receiver to exceed the thirty-five page limitation. In addition, Plaintiffs respectfully request that they be relieved from filing a supporting memorandum of authorities due to the self explanatory nature of this Motion. In support, Plaintiffs state the following:

1. Rule 7.2(E) of the Uniform Local Rules for the Northern and Southern Districts of Mississippi provide that the movant's original and rebuttal memoranda together shall not exceed

a total of thirty-five pages, and that the respondent's reply memorandum shall not exceed thirty-five pages.

2. Previously, in March 2006, Defendants filed a Motion to Exceed Page Limitation for Memorandum of Law in Support of Motion for Summary Judgment. In their Motion, Defendants requested the Court to allow their memoranda and rebuttal memoranda in support of a motion for summary judgment to exceed the thirty-five page limit.

3. On March 9, 2006, Plaintiffs responded to Defendants' Motion to Exceed Page Limitation and did not object to Defendants' request to exceed the thirty-five page limit provided that the Plaintiffs are allowed the same additional pages in their reply memorandum.

4. On April 24, 2006, the Court entered an Order granting Defendants' Motion to Exceed Page Limitation "being advised that plaintiffs have no objection thereto." In the Court's Order, Defendants are allowed to exceed the page limitation provided by Uniform Local Rule 7.2 without specifically stating a page limitation. *See Doc. 261 (Order).*

5. Likewise, Plaintiffs respectfully request that this Court allow Plaintiffs' original and rebuttal memoranda in support of their renewed motion for Contempt, For an Evidentiary Hearing and for Appointment of A Receiver to exceed the thirty-five page limit in order to properly and fully brief all of the important issues to be raised in Plaintiffs' renewed motion.

6. Counsel for Plaintiffs is aware that excessively long filings are not appropriate and every effort will be made to limit the pages of its original and rebuttal memoranda to sixty pages.

7. On March 3, 2015, counsel for Plaintiffs contacted counsel for Defendants and advised him that Plaintiffs were going to file a Motion to Exceed Page Limitation for a total of no more than sixty pages. Defendants' counsel has responded and does not oppose this request.

WHEREFORE, being advised that the Defendants do not oppose Plaintiffs' motion, Plaintiffs respectfully request that this Court allow Plaintiffs' original and rebuttal memoranda in support of their Renewed Motion for Contempt, for an Evidentiary Hearing and for Appointment of a Receiver to exceed the thirty-five page limit.

RESPECTFULLY SUBMITTED, this the 9th day of March, 2015.

/s/ Marcia Robinson Lowry

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PLAINTIFFS' COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2015, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which will send notification of such filing and deliver copies to all counsel of record, including:

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